
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

HERBERT FEIST,

Plaintiff,

versus

DIRECTOR, TDCJ-CID,

Defendant.

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CIVIL ACTION NO. 1:07-CV-695

**MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Herbert Feist, a former prisoner, proceeding *pro se*, brought this civil rights action pursuant to 42 U.S.C. § 1983 against the Director of the Texas Department of Criminal Justice, Correctional Institutions Division.

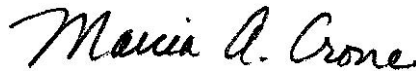
The court ordered that this matter be referred to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends dismissing the case as improvidently filed.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

O R D E R

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge (#15) is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Beaumont, Texas, this 25th day of April, 2008.

A handwritten signature in black ink, reading "Marcia A. Crone". The signature is written in a cursive style with a horizontal line underneath it.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE